Appendix G

Offenses for which mandatory incarceration is prescribed, and therefore, for which probation is not authorized.

Note: The offenses listed represent those found in the Penal Code, the Controlled Substances Act, and the Michigan Vehicle Code. There may be other offenses for which a mandatory term of imprisonment is prescribed in statutes not found in the three areas examined by the author.

Mandatory life without parole

MCL 750.316, first-degree murder.

MCL 750.200i(2)(e), harmful substance or device causing death.

MCL 750.204(2)(e), sending/delivering explosives causing death.

MCL 750.207(2)(e), placing explosive substance near real/personal property causing death.

MCL 750.209(1)(e), placing offensive/injurious substance near property causing death.

MCL 750.210(2)(e), explosive/combustible substance when combined causing death.

MCL 750.211a(2)(f), device designed to explode on impact causing death.

MCL 333.7413(1)(a), two or more convictions of 7401(2)(a)(*ii*) or (*iii*).

MCL 333.7413(1)(b), two or more convictions of 7403(2)(a)(*ii*) or (*iii*).

MCL 333.7413(1)(c), conspiracy to commit 7401(2)(a)(*ii*) or (*iii*) or 7403(2)(a)(*ii*) or (*iii*).

MCL 750.544, treason.

Mandatory life imprisonment but eligible for parole

MCL 750.157a(a), conspiracy to commit first-degree murder. See *People v Jahner*, 433
    Mich 490, 504 (1989).

Mandatory determinate minimums

MCL 333.7413(3), two or more convictions under 7410(2) or (3).

MCL 750.458, detaining a female in house of prostitution for debt incurred during residence there.

MCL 750.227b, felony-firearm (one, two, and three or more convictions).

MCL 750.520f(1), two or more convictions of CSC-1, CSC-2, or CSC-3.

MCL 750.112, burglary with explosives.

MCL 750.529, armed robbery involving aggravated assault or serious injury.

Mandatory imprisonment – at least one year + one day

MCL 750.317, second-degree murder. See *People v Blythe*, 417 Mich 430, 434-437 (1983).

MCL 750.520b(2), first-degree criminal sexual conduct. See *Blythe*.

MCL 750.529, armed robbery.